IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SEVENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION No. 880 of 2005

Between:

1 Pandu Gandhi S/o Dharmaiah
R/o D. No. 2-47-154, Nookalamma Manyam, Kakinada,
East Godavari District
2 Koppiri Malleswara Rao S/o Surya Rao
R/o D. No. 2-6-52 Nookalamma Manyam, Kakinada,
East Godavari District
3 Kumara Suryavathi W/o Katamraju
R/o D. No. 2-6-51 Nookalamma Manyam, Kakinada,
East Godavari District
4 Revu Satya Prasad S/o Sathiraju
R/o D. No. 2-6-48 Nookalamma Manyam, Kakinada,
East Godavari District
5 Koppiri Srinivasa Reddy S/o Koppiri Surya Rao
R/o D. No. 2-47-193 Nookalamma Manyam, Kakinada,
East Godavari District
6 Panta Suresh, S/o Gandhi
R/o D. No. 2-47-155, Nookalamma Manyam, Kakinada,
East Godavari District
7 Chilla Talupulamma W/o jampaiah
R/o D. No. 2-47-192, Nookalamma Manyam, Kakinada,
East Godavari District
8 Chimma Gurramma W/o Atchaiah
R/o D. No. 2-6-48 Nookalamma Manyam, Kakinada,
East Godavari District
9 Neelapu Kothamma W/o Guru Murthy
R/o D. No. 2-6-50, Nookalamma Manyam, Kakinada,
East Godavari District
10 Manda Lakshmi, W/o Satyanarayana
R/o D. No. 2-6-192, Nookalamma Manyam, Kakinada,
East Godavari District

11 Uppada Raghava W/o Yellarao (Late)
R/o D. No. 2-47-188, Nookalamma Manyam, Kakinada,
East Godavari District
12 Chitta Suseela, W/o Venkateswarlu,
R/o D. No. 2-6-46, Nookalamma Manyam, Kakinada,
East Godavari District

13 Pasagadugula Abbulu S/o Suryanarayana
R/o D. No. 2-47-183, Nookalamma Manyam, Kakinada,
East Godavari District
14 Nakka Gowreswara Rao S/o Talupulu
R/o D. No. 2-47-174, Nookalamma Manyam, Kakinada,
East Godavari District
15 Gorrela Venkat Reddy S/o Polayya Reddy
R/o D. No. 2-47-190, Nookalamma Manyam, Kakinada,
East Godavari District
16 Chilla Bangaraiah S/o Yellaiah
R/o D. No. 2-47-152, Nookalamma Manyam, Kakinada,
East Godavari District

..... PETITIONERS

AND

1 The Government of Andhra Pradesh, rep by Principal Secretary,
Municipal Administration, Secretariat Buildings, Hyderabad
2 Kakinada Municipality, rep by Commissioner, Kakinada,
East Godavari district

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a Writ, or order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in trying to construct a apartment complex in our sites by demolishing the residential houses of the petitioners, as arbitrary and illegal and consequently direct the respondents not to dispossess the petitioners from their respective houses without giving prior notice.

Counsel for the Petitioner : Mr.C.V.BHANOJI RAMARS

Counsel for Respondents : G.P. FOR MUNCIPAL ADMN. & URBAN DEV.

The Court at the stage of admission, made the following :

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Respondents.

The petitioners claim to be landless poor, residing at Nookalamma Manyam since 25 years by constructing tiled houses and they are in possession of the said houses. The petitioners state that they are paying electricity charges, municipal taxes over the property regularly. The grievance of the petitioners in this writ petition is that the respondents with a view to construct multi-storied residential houses for poor people, are trying to dispossess the petitioners without considering their possession over the property and without issuing any notice or affording any opportunity. Questioning the said action of the respondents, the present writ petition is filed.

The petitioners have not placed any material before this Court showing prima facie title or ownership over the property in question and in the absence of the same, I do not find any reason to grant any relief as sought for in the writ petition.

The writ petition has no merit and is accordingly dismissed.

No costs.

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N.V.RAMANA, J

Date: 27.1.2005

DA

To

1 The Principal Secretary, Government of Andhra Pradesh,
Municipal Administration, Secretariat Buildings, Hyderabad
2 The Commissioner, Kakinada Municipality, Kakinada,
East Godavari District.

3 Two CCs to the G.P. for Municipal Administration and Urban Development, High Court Buildings, Hyderabad (OUT).

4 Two CD copies.